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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,215	05/24/2001	Hitesh Trivedi	Q01-1064-US1	2590

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FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

EXAMINER

TZENG, FRED

ART UNIT

PAPER NUMBER

2651

DATE MAILED: 07/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/865,215

Applicant(s)
Trivedi, Hitesh

Examiner
Fred Tzeng

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2651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 24, 2001
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4, and 10-15 is/are rejected.
- 7) ☒ Claim(s) 2 and 5-9 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3 6) ☐ Other:

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DETAILED ACTION

1. Claims 1-15 are presented for examination.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3, 4, 10-15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Fasen (USPN 5,995,315).

Regarding claim 1, Fasen discloses a method of controlling a data head for reading data from a data track on a magnetic tape in a magnetic tape drive, comprising: determining signal quality for read data signals produced by a data head reading data from a data track; and adjusting the position of the data head relative to the data track using the signal quality (see

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column 2 lines 22-38,47-67 and column 3 lines 1-8; i.e., through examining the composite signal by the discriminator circuit, the arithmetic circuit, and providing a feedback drive signal, the head positioner moves the head toward the center line in response to the drive signal).

Regarding claim 3, Fasen discloses changing the position of the data head comprises: stepping of the data head laterally across the data track (see column 2 lines 26-38).

Regarding claim 4, Fasen discloses performing the seek operation further comprises: using the determined changes to determine direction and size of steps of the stepping (see column 3 lines 1-8; i.e., through the ratio calculated by the arithmetic circuit, the head positioner moves the head in a direction with a size of a stepping angle toward the center line).

Regarding claim 10, Fasen discloses that the determining comprises: obtaining the signal quality values from a read channel device (see column 2 lines 22-26; i.e., the read head).

Regarding claim 11, Fasen discloses that the determining comprises: generating the signal quality values for data read from a data track (see column 2 lines 35-38; i.e., through conveying position information for maintaining the read head on the particular track).

Regarding claims 12 and 13, Fasen discloses that the signal quality comprises error values and the error values are indicative of errors between observed values and ideal values for the read data (see column 3 lines 1-8; i.e., through the calculated ratio, the error value between the observed value and the ideal value can be determined).

Regarding claim 14, Fasen discloses an apparatus for controlling a data head to read data from a data track on a magnetic tape in a magnetic tape drive comprising: a stored computer

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program in memory (see column 7 lines 62-67 and column 8 lines 1-7; i.e., the computer programs stored inside the memory of positioning processor 138) instituting the steps of: determining signal quality for read data signals produced by a data head reading data from a data track; and adjusting the position of the data head relative to the data track using the signal quality (see column 2 lines 22-38,47-67 and column 3 lines 1-8; i.e., through examining the composite signal by the discriminator circuit, the arithmetic circuit, and providing a feedback drive signal, the head positioner moves the head toward the center line in response to the drive signal).

Regarding claim 15, Fasen discloses a tape drive system (see column 3 lines 63-67 and figure 1; i.e., the magnetic tape system 10) comprising: a data head structure (see column 3 line 66; i.e., the head 12) to produce read data signals from data recorded on a data track of a tape (see column 5 lines 11-15); a head stepper coupled to the data head structure (see column 4 line 1); and a data channel unit to produce read data signal quality values from the read data signals (see column 2 lines 57-67 and column 3 lines 1-6; i.e., through the discriminator circuit and the arithmetic circuit, a ratio for determining read data signal quality can be calculated); and a servo controller coupled to the head stepper and data channel unit, the servo control being configured to use the signal quality values to control adjustment of the position of the data head structure relative to the data track by the head stepper (see column 3 lines 7-8 and column 6 lines 18-25; i.e., the head positioner 114).

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Allowable Subject Matter

5. Claims 2, 5-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. **Any response to this office action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (formal communications, please mark

“EXPEDITED PROCEDURE”)

Or:

(703) 308-6606 (for informal or draft communications, please label

“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2021

Crystal Drive, Arlington. V.A., Sixth Floor (receptionist).

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred F. Tzeng whose telephone number is (703) 305-4841. The examiner can normally be reached on weekdays from 9:30 am to 6:00 pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth, can be reached on (703) 308-4825. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Fred F. Tzeng

June 22, 2003


DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600